(O 00) 1 T	l 07/11/05 ocument	Entered Page 1 o		5 16:29:57	Desc Main				
FORM B1 United States Ban					Voluntary Petition				
Northern Distri	ict of Illinoi	is			, oraniary records				
Name of Debtor (if individual, enter Last, First, Mid <b>Smith, Janet L</b>	ldle):	Name of Jo	oint Debtor (	(Spouse) (Las	st, First, Middle):				
All Other Names used by the Debtor in the last 6 yea (include married, maiden, and trade names):	ars	All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):							
Last four digits of Soc. Sec. No./Complete EIN or o No. (if more than one, state all): <b>0398</b>	ther Tax I.D.		igits of Soc.		mplete EIN or other Tax I.D.				
Street Address of Debtor (No. & Street, City, State & Zip C 11017 S Campbell Chicago, IL 60655	Code):	Street Add	ress of Joint	t Debtor (No. &	& Street, City, State & Zip Code):				
County of Residence or of the Principal Place of Business: Cook			Residence o						
Mailing Address of Debtor (if different from street address	;):	Mailing Ac	ldress of Joi	int Debtor (if o	different from street address):				
Location of Principal Assets of Business Debtor (if different from street address above):									
Information Regardin	ng the Debt	tor (Check	the App	licable Box	res)				
<ul> <li>Venue (Check any applicable box)</li> <li>✓ Debtor has been domiciled or has had a residence, pripreceding the date of this petition or for a longer part</li> <li>☐ There is a bankruptcy case concerning debtor's affilia</li> </ul>	of such 180 day	ys than in any	other Distric	t.					
Type of Debtor (Check all boxes that apply	)	Chaj	pter or Section	on of Bankrup	otcy Code Under Which				
✓ Individual(s) ☐ Railroad			_	•	Check one box)				
☐ Corporation ☐ Stockbroker ☐ Commodity Brok	xer	☐ Chapter☐ Chapter		Chapter 11 Chapter 12	Chapter 13				
Other Clearing Bank		☐ Sec. 304		llary to foreign	proceeding				
Nature of Debts (Check one box)  ✓ Consumer/Non-Business ☐ Business			Fili	ing Fee (Check	c one box)				
✓ Consumer/Non-Business ☐ Business			ing Fee attach						
Chapter 11 Small Business (Check all boxes that  ☐ Debtor is a small business as defined in 11 U.S.C. § 1  ☐ Debtor is and elects to be considered a small business 11 U.S.C. § 1121(e) (Optional)	101	Filing Fee to be paid in installments (applicable to individuals of Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installme Rule 1006(b). See Official Form No. 3.							
Statistical/Administrative Information (Estimates only)				THIS S	PACE IS FOR COURT USE ONLY				
Debtor estimates that funds will be available for distribution paid, there will be no funds available for distribution to	cluded and adm	iinistrative exp							
Estimated Number of Creditors 1-15 16-49	50-99 100-1	. —	1000-over						
Estimated Assets				1					

\$1,000,001 to \$10,000,001 to \$50,000,001 to

\$50 million

\$1,000,001 to \$10,000,001 to \$50,000,001 to

\$50 million

\$100 million

\$100 million

More than \$100 million

\$100 million

\$0 to \$50,000 \$10

\$0 to

\$50,000

\$50,001 to

\$100,000

\$50,001 to

\$100,000

\$100,001 to \$500,000

\$100,001 to \$500,000

 $\mathbf{V}$ 

\$500,001 to \$1 million

\$500,001 to

\$1 million

\$10 million

\$10 million

Date

Title of Authorized Individual

Case 05-27405

(Official Form 1)  $(12/0\overline{3})$ 

**Voluntary Petition** 

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A bankruptcy petition preparer's failure to comply with the provisions

of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

Page 2 of 24
Name of Debtor(s):

FORM B1, Page 2

# Case 05-27405 Doc 1 Filed 07/11/05 Entered 07/11/05 16:29:57 Desc Main

# Document Page 3 of 24 United States Bankruptcy Court Northern District of Illinois

IN RE:		Case No
Smith, Janet L		Chapter 13
·	Debtor(s)	•

# **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

#### AMOUNTS SCHEDULED

			AN	MOUNTS SCHEDULEI	)
NAME OF SCHEDULE	ATTACHED (YES/NO)	NUMBER OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	157,000.00		
B - Personal Property	Yes	2	1,800.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		161,114.00	
E - Creditors Holding Unsecured Priority Claims	Yes	2		2,000.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	3		14,945.17	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			2,389.00
J - Current Expenditures of Individual Debtor(s)	Yes	1			2,099.00
Total Number of Sheets in Schedules		14			
		Total Assets	158,800.00		
			Total Liabilities	178,059.17	

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Debtor(s)

#### **SCHEDULE A - REAL PROPERTY**

Case No.

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H" for Husband, "W" for Wife, "J" for Joint, or "C" for Community in the column labeled "HWJC." If the debtor holds no interest in real property, write "None" under "Description and Location of Property".

Do not include interests in executory contracts and unexpired leases on the schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a security interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim".

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
11017 S Campbell	Fee Simple		157,000.00	155,918.00
	TOTAL		457,000,00	

TOTAL 157,000.00 (Report also on Summary of Schedules)

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Case No.

IN RE Smith, Janet L

C

Debtor(s)

#### **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None". If additional space is needed in any category, attached a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H" for Husband, "W" for Wife, "J" for Joint, or "C" for Community in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions only in Schedule C -Property Claimed as Exempt.

Do not include interests in executory contracts and unexpired leases on the schedule. List them in Schedule G - Executory Contracts and Unexpired Leased. If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property".

	TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1.	Cash on hand.	Х			
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	X			
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X			
4.	Household goods and furnishings, include audio, video, and computer equipment.		Furniture		500.00
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Misc Books		100.00
6.	Wearing apparel.		Clothing		200.00
7.	Furs and jewelry.	X			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10.	Annuities. Itemize and name each issue.	X			
11.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	Х			
12.	Stock and interests in incorporated and unincorporated businesses.  Itemize.	X			
13.	Interests in partnerships or joint ventures. Itemize.	X			
14.	Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
15.	Accounts receivable.	X			
16.	Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.	X			
17.	Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
		1			

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IN RE Smith, Janet L

Debtor(s)

# **SCHEDULE B - PERSONAL PROPERTY** (Continuation Sheet)

	TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
estate exerc debto	itable or future interest, life tes, and rights or powers cisable for the benefit of the or other than those listed in edule of Real Property.	X			
intere	tingent and noncontingent rests in estate of a decedent, death fit plan, life insurance policy, or	X			
claim refun and r	ns of every nature, including tax nds, counterclaims of the debtor, rights to setoff claims. Give nated value of each.	X			
	lectual property. Give particulars.	X			
	nses, franchises, and other ral intangibles. Give particulars.	X			
	omobiles, trucks, trailers, and r vehicles and accessories.		1995 Ford Probe		1,000.00
24. Boats	ts, motors, and accessories.	X			
25. Aircr	raft and accessories.	X			
26. Offic suppl	llies.	X			
27. Mach suppl	blies used in business.	X			
28. Inven		X			
29. Anim	114101	X			
	culars.	X			
31. Farm	8 1 1	X			
		X			
	er personal property of any kind already listed. Itemize.	X			
	· · · · · · · · · · · · · · · · · · ·		тот		1,800.00

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Debtor(s)

# SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under:

(Check one box)

11 U.S.C. § 522(b)(1): Exemptions provided in 11 U.S.C. § 522(d). NOTE: These exemptions are available only in certain states.

11 U.S.C. § 522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

Case No.

SCHEDULE A - REAL PROPERTY   11017 \$ Campbell   735 ILC\$ 5 \$12-901   7,500.00   157,000.00   SCHEDULE B - PERSONAL PROPERTY   735 ILC\$ 5 \$12-1001(b)   500.00   500.00   100	DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
SCHEDULE B - PERSONAL PROPERTY           Furniture         735 ILCS 5 §12-1001(b)         500.00         500.00           Misc Books         735 ILCS 5 §12-1001(b)         100.00         100.00           Clothing         735 ILCS 5 §12-1001(a)         200.00         200.00	SCHEDULE A - REAL PROPERTY			
Furniture       735 ILCS 5 §12-1001(b)       500.00       500.00         Misc Books       735 ILCS 5 §12-1001(b)       100.00       100.00         Clothing       735 ILCS 5 §12-1001(a)       200.00       200.00	11017 S Campbell	735 ILCS 5 §12-901	7,500.00	157,000.00
Misc Books       735 ILCS 5 §12-1001(b)       100.00       100.00         Clothing       735 ILCS 5 §12-1001(a)       200.00       200.00	SCHEDULE B - PERSONAL PROPERTY			
Clothing 735 ILCS 5 §12-1001(a) 200.00 200.00	Furniture	735 ILCS 5 §12-1001(b)	500.00	500.00
	Misc Books	735 ILCS 5 §12-1001(b)	100.00	100.00
1995 Ford Probe 735 ILCS 5 §12-1001(c) 1,000.00 1,000.00	Clothing	735 ILCS 5 §12-1001(a)	200.00	200.00
	1995 Ford Probe	735 ILCS 5 §12-1001(c)	1,000.00	1,000.00

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Debtor(s)

### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C," respectively, in the column labeled "HWJC."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See instructions above.)		H W	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF		U N L I Q U	D I S P	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL
		C	PROPERTY SUBJECT TO LIEN	N G E N T	I D A T E D	U T E D	UNSECURED PORTION, IF ANY
Account No.			mortgage balance				
Citi Mortgage P.O.Box 8003 South Hackensack, NJ 07606			11017 S Campbell				155,918.00
			Value \$ 157,000.00				
A AN			Value \$ 157,000.00 mortgage arrears				
Account No.  Citi Mortgage			mortgage arrears				
P.O.Box 8003 South Hackensack, NJ 07606							5,196.00
			Value \$				5,196.00
Account No.							
			Value \$				
Account No.							
			Value \$				
Account No.							
			Value \$				
O Continuation Sheets attached			(Total c		Subte is pa		161,114.00
			(Complete only on last sheet of Schedule I	)) T	тот	AT.	161,114.00
							Summers of Schodules

(Report total also on Summary of Schedules)

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Case No.

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IN RE Smith, Janet L

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Debtor(s)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entiry on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H," "W," "J," or "C," respectively, in the column labeled "HWJC."

is disput Repor	claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim ed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.) t the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" st sheet of the completed schedule. Repeat this total also on the Summary of Schedules.
Che	eck this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
	S OF PRIORITY CLAIMS  the appropriate box(es) below if claims in that category are listed on the attached sheets)
Cla	tensions of credit in an involuntary case aims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the clier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2)
Wa qua	ages, salaries, and commissions ages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to alifying independent sales representatives up to \$4,925* per person earned within 90 days immediately preceding the filing of the ginal petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).
Mo	ontributions to employee benefit plans oney owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
Cla	ertain farmers and fishermen aims of certain farmers and fishermen, up to a maximum of \$4,925* per farmer or fisherman, against the debtor, as provided in 11 S.C. § 507(a)(5).
Cla	eposits by individuals aims of individuals up to a maximum of \$2,225* for deposits for the purchase, lease, or rental of property or services for personal, mily, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6)
Cla	imony, Maintenance, or Support aims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. 507(a)(7).
<b>√ Ta</b> Ta	xes and Other Certain Debts Owed to Governmental Units xes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
Cla of	mmitments to Maintain the Capital of an Insured Depository Institution aims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository titution. 11 U.S.C. § 507(a)(9).
* A	mounts are subject to adjustment on April 1, 2007, and every three years thereafter with respect to cases commenced on or after the date of adjustment.
	1 Continuation Sheets attached

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Debtor(s)

\_\_\_ Case No. \_\_\_\_

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS (Continuation Sheet)

# **Taxes and Other Certain Debts Owed to Governmental Units**

(Type of Priority)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	C O N T I N G	U N L I Q U I D	D I S P U T	TOTAL AMOUNT OF CLAIM
	O R			E N T	A T E D	E D	AMOUNT ENTITLED TO PRIORITY
Account No. Internal Revenue Service			federal taxes 2002				
230 S. Dearborn Stop 5016-CHI							2,000.00
Chicago, IL 60604							2,000.00
Account No.							
Account No.							
Account No.				+			
Account No.							
Account No.		-		+			
				Ш,	Subt	otal	
Sheet1 of1 Continuation Sheets	attach	ed t	o Schedule E (Total	of th	is pa	age)	2,000.00
			(Complete only on lest sheet of Schodule	E) T	гот	'A T	2 000 00

(Complete only on last sheet of Schedule E) TOTAL

(Report total also on Summary of Schedules)

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(Report total also on Summary of Schedules)

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Debtor(s)

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code and last four digits of any account number of all entities holding unsecured claims without priority against the debtor or the property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C," respectively, in the column labeled "HWJC."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim

is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors ho	olding	g un	secured nonpriority claims to report on this Scheo	lule	F.		
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E	D I S P U T E D	AMOUNT OF CLAIM
Account No. 16240690			collection				
Arrow Financial Service 21031 Network PI Chicago, IL 60678-1031							1,019.00
Account No. 37135819	+		collection				,
At & T Wireless Po Box 78224 Phoenix, AZ 85062-8224							243.00
Account No. 111001110016749382			collection				
Bank One Po Box 2071 Milwaukee, WI 53201							328.00
Account No. <b>37135819</b>			collection	$\vdash$			
Cingular Wireless Po Box 8229 Aurora, IL 60572-8229							239.00
Account No. <b>5060951900</b>	+		parking ticket				200.00
City Of Chicago Department Of Revenue Parking Tickets P.O. Box 88298 Chicago, IL 60680-1298							
					\ \\.\.	-4-1	120.00
2 Continuation Sheets attached			(Total c			otal age)	1,949.00
			(Complete only on last sheet of Schedule )	E) T	тот	'A T	

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IN RE Smith, Janet L

Debtor(s)

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No. 01228249766\8798300033897			collection				
Comcast Po Box 3002 Southeastern, PA 19398-3002	-						71.00
Account No. 1228249766			collection				
Credit Protection 13355 Noel Rd. Dallas, TX 75240							
Account No. <b>412216231957279</b>			credit card	┼			71.00
HFC Po Box 17574 Baltimore, MD 21297			orean cara				
							8,386.00
Account No.			federal taxes				
Internal Revenue Service 230 S. Dearborn Stop 5016-CHI Chicago, IL 60604							718.17
Account No.			collection	+			710.17
Microsoft Online Services One Microsoft Way Redmond, WA 98052	-						
							43.00
Account No. 4465-6105-0053-1872			collection				
Providian P.O. Box 660022 Dallas, TX 75266							4 404 00
Account No.			Assignee or other notification for:	-			1,494.00
Blatt, Hasenmiller, Leibsker & Moore Suite 400 125 South Wacker Drive Chicago, IL 60606-4440			Providian				
Sheet <b>1</b> of <b>2</b> Continuation Sheets at	tach	ed t	o Schedule F (Total o		Subte is pa		10,783.17
			(Complete only on last sheet of Schedule	F) <b>T</b>	то	ΊΑΙ	

(Report total also on Summary of Schedules)

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IN RE Smith, Janet L

Debtor(s)

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E	D I S P U T E D	AMOUNT OF CLAIM
A4 NT-			Assignee or other notification for:		1	<del>                                     </del>	
Account No.  Pallisade Collection  Po Box 1244  Englewood Cliffs, NJ 07632			Providian				
Account No. <b>54097910000553750</b>			credit card				
Providian P.O. Box 660022 Dallas, TX 75266							4 009 00
A			Assignee or other notification for:		<u> </u>		1,008.00
Account No.  Arrow Financial Services 5996 W. Touhy Ave Niles, IL 60714			Providian				
Account No. <b>7714100066565565</b>			credit card				
Sam's Club P.O. Box 105980 Dept 77 Atlanta, GA 30353							
Account No. 1134718856030847			collection				1,040.00
Trojan Professionals PO Box 1270 Los Alamitos, CA 90720							
					<u> </u>	L	165.00
Account No.							
Account No.						1	
Sheet <b>2</b> of <b>2</b> Continuation Sheets at	ttach	ed t	o Schedule F (Total o		Subte is pa		2,213.00
			(Complete only on last sheet of Schedule)	F) <b>1</b>	тот	'AL	14.945.17

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# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Case No.

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease.

Provide the names and complete addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

✓ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.

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RE Smith, Janet L			Case No.		

Debtor(s)

# **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR

IN

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IN RE Smith, Janet L

Debtor(s)

# SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

D 1. 1 36 2: 10: .	DEDENTOENTE	OF DEDEOD AND O	IDOLIGE.		
Debtor's Marital Status	DEPENDENTS				
Single	RELATIONSHIP			AGE	
EMPLOYMENT:	DEBTOR		SPOUSE		
Occupation Disabled					
Name of Employer					
How long employed					
Address of Employer					
	41.		DEDECD		DOLIGE
Income: (Estimate of average	· · · · · · · · · · · · · · · · · · ·	.1.1.5	DEBTOR		POUSE
	salary, and commissions (pro rata if not paid mon	thly) \$		\$	
Estimated monthly overtime		\$		<u>\$</u>	
SUBTOTAL		\$	0.00	\$	
LESS PAYROLL DEDUCT	TIONS	_			
a. Payroll taxes and Social	Security	\$		\$	
b. Insurance		\$		\$	
c. Union dues		\$		\$	
d. Other (specify)		\$		\$	
		\$		\$	
SUBTOTAL OF PAYROLL	DEDUCTIONS	\$	0.00	\$	
TOTAL NET MONTHLY T	TAKE HOME PAY	\$	0.00	\$	
				-	
	n of business or profession or farm (attach detailed	l statement) \$		\$	
Income from real property		\$		\$	
Interest and dividends		\$		\$	
	port payments payable to the debtor for the debtor'			Φ.	
or that of dependents listed ab		\$		\$	
Social Security or other gover		Φ.	440.00	Φ.	
(Specify) Food Stamps Contribution From	Dod		149.00	\$ \$	
	Dad			ф	
Pension or retirement income		\$		φ	
Other monthly income		¢		•	
				Φ	
				Ψ	
		ф		Ψ	
TOTAL MONTHLY INCO	ME	\$	2,389.00	\$	
		Ψ	2,000.00	¥	

TOTAL COMBINED MONTHLY INCOME \$ \_\_\_\_\_ 2,389.00 (Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

Debtor(s)

# SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

\_\_\_ Case No. \_\_\_

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-we or annually to show monthly rate.	ekly, quarterl	ly, semi-annually,
Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete expenditures labeled "Spouse."	a separate	e schedule of
Rent or home mortgage payment (include lot rented for mobile home)  Are real estate taxes included? Yes   No	\$	1,299.00
Is property insurance included? Yes ✓ No		
Utilities: Electricity and heating fuel	\$	150.00
Water and sewer	\$	90.00
Telephone	\$	90.00
Other	— \$ —	
	— ¢ —	
Home maintenance (repairs and upkeep)	— ¢ —	
Food	\$ ——	283.00
Clothing	\$ ——	20.00
Laundry and dry cleaning	\$ —	20.00
Medical and dental expenses	\$	20.00
Transportation (not including car payments)	\$	80.00
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	
Charitable contributions	\$	
Insurance (not deducted from wages or included in home mortgage payments)		
Homeowner's or renter's	\$	
Life	\$	
Health	\$	
Auto	\$	47.00
Other	\$	
	— <u>\$</u> —	
Taxes (not deducted from wages or included in home mortgage payments)	— <sub>2</sub> —	
	•	
(Specify)	— ¢ —	
	— § —	
Installment payments (in chapter 12 and 13 cases, do not list payments to be included in the plan)	Ψ	
Auto	\$	
Other	\$	
	<u>\$</u>	
Alimony, maintenance, and support paid to others	- \$	
Payments for support of additional dependents not living at your home	\$	
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	
Other		
	\$	
	C C	
	\$	
	\$	
TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)	<u>\$</u>	2,099.00
(FOR CHAPTER 12 AND 13 DEBTORS ONLY) Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly,	annually,	or at some
other regular interval.	ø	2 200 00
A. Total projected monthly income	\$ —	2,389.00 2,099.00
<ul><li>B. Total projected monthly expenses</li><li>C. Excess income (A minus B)</li></ul>	Φ	290.00
D. Total amount to be paid into plan each	ς \$	290.00
(interval)	Ψ	

\_ Case No. \_

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Debtor(s)

# DECLARATION CONCERNING DEBTOR'S SCHEDULES

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

		e foregoing summary and schedules, consisting of Total shown on summary page plus 1)
they are true and correct to th	e best of my knowledg	e, information, and belief.
Date: July 11, 2005	Signature:	/s/ Janet L Smith
		Janet L Smith Debtor
Date:	Signature:	(Joint Debtor, if any)
		[If joint case, both spouses must sign.]
CERTIFICATION AND S	SIGNATURE OF NON	I-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)
I certify that I am a bankrupto I have provided the debtor wi		lefined in 11 U.S.C. § 110, that I prepared this document for compensation, and that nent.
Printed or Typed Name of Bankruptcy Petition P	reparer	Social Security No. (Required by 11 U.S.C. § 110(c).)
Address		
Names and Social Security no	umbers of all other indi	viduals who prepared or assisted in preparing this document:
If more than one person prep person.	ared this document, at	tach additional signed sheets conforming to the appropriate Official Form for each
Signature of Bankruptcy Petition Preparer		Date
A bankruptcy petition prepare in fines or imprisonment or b		th the provision of title 11 and the Federal Rules of Bankruptcy Procedures may result $18U.S.C.\$156.$
DECLARATION	UNDER PENALTY (	OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP
I, the		(the president or other officer or an authorized agent of the corporation or a
(corporation or partnership) r schedules, consisting of	named as debtor in this	f the case, declare under penalty of perjury that I have read the foregoing summary and ad that they are true and correct to the best of my knowledge, information, and belief.
Date:	Signature:	
		(Print or type name of individual signing on behalf of debtor)
[An in	dividual signing on bel	nalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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Document Page 19 of 24 **United States Bankruptcy Court** 

# Northern District of Illinois

IN RE:		Case No.
Smith, Janet L		Chapter 13
	Debtor(s)	1

#### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1-18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19-25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 2. Income other than from employment or operation of business

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE 47,040.00 disability 2004 47,040.00 disability 2003

3,920.00 year to date disability

#### 3. Payments to creditors

None a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 4. Suits and administrative proceedings, executions, garnishments and attachments

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 5. Repossessions, foreclosures and returns

None List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 6. Assignments and receiverships

None a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 7. Gifts

None List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 8. Losses

None List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 9. Payments related to debt counseling or bankruptcy

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE Robert J. Semrad & Associates 407 S. Dearborn Suite #400 Chicago, IL 60605

DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY 975.00

#### 10. Other transfers

None List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 11. Closed financial accounts

None List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, association, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 12. Safe deposit boxes

None List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 13. Setoffs

None List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 14. Property held for another person

None List all property owned by another person that the debtor holds or controls.

 $\checkmark$ 

#### 15. Prior address of debtor

If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

#### 16. Spouses and Former Spouses

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the six-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

#### 17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

#### 18. Nature, location and name of business

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

 $\checkmark$ 

[If completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date: <b>July 11, 2005</b>	Signature /s/ Janet L Smith	
	of Debtor	Janet L Smith
Date:	Signature	
	of Joint Debtor	
	(if any)	
	ocntinuation pages attached	

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. § 152 and 3571.

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# **Northern District of Illinois**

IN	RE:		Case No	
Smith, Janet L			Chapter 13	
_	Debt	or(s)	<u> </u>	
	DISCLOSURE O	F COMPENSATION OF ATTORNEY	Y FOR DEBTOR	
1.		e 2016(b), I certify that I am the attorney for the above-nacy, or agreed to be paid to me, for services rendered or to lows:		
	For legal services, I have agreed to accept		\$\$	
	Prior to the filing of this statement I have received .		\$ <b>975.00</b>	
	Balance Due		\$ <b>1,225.00</b>	
2.	The source of the compensation paid to me was:	Debtor Other (specify):		
3.	The source of compensation to be paid to me is:	Debtor Other (specify):		
4.	I have not agreed to share the above-disclosed c	ompensation with any other person unless they are memb	pers and associates of my law firm.	
	I have agreed to share the above-disclosed composether with a list of the names of the people st	pensation with a person or persons who are not members haring in the compensation, is attached.	or associates of my law firm. A copy of the agreement,	
5.	In return for the above-disclosed fee, I have agreed to	o render legal service for all aspects of the bankruptcy cas	se, including:	
	b. Preparation and filing of any petition, schedules	rendering advice to the debtor in determining whether to to, statement of affairs and plan which may be required; reditors and confirmation hearing, and any adjourned heatedings and other contested bankruptcy matters;		
6.	By agreement with the debtor(s), the above disclosed	I fee does not include the following services:		
	certify that the foregoing is a complete statement of ar roceeding.  July 11, 2005	CERTIFICATION  by agreement or arrangement for payment to me for representations of the content	sentation of the debtor(s) in this bankruptcy	
-	Date		e of Attorney	

Robert J Semrad & Associates 407 S Dearborn Ave

Name of Law Firm

# Case 05-27405 Doc 1 Filed 07/11/05 Entered 07/11/05 16:29:57 Desc Main Document Page 24 of 24 UNITED STATES BANKRUPTCY COURT

#### NOTICE TO INDIVIDUAL CONSUMER DEBTOR

The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Neither the judge nor the court's employees may provide you with legal advice.

### Chapter 7: Liquidation (\$155 filing fee plus \$39 administrative fee plus \$15 trustee surcharge)\*

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
- 2. Under Chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
- 3. The purpose of filing a Chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
- 5. Under certain circumstances you may keep property that you have purchased subject to a valid security interest. Your attorney can explain the options that are available to you.

# Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$39 administrative fee)\*

- 1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for Chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under Chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually the period allowed by the court to repay your debts is three years, but not more than five years. Your plan must be approved by the court before it can take effect.
- 3. Under Chapter 13, unlike Chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
- 4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

#### Chapter 11: Reorganization (\$800 filing fee plus \$39 administrative fee)\*

Chapter 11 is designed primarily for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision for an individual to file a Chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer (\$200 filing fee plus \$39 administrative fee)\*

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to a Chapter 13. The eligibility requirements are restrictive, limiting its use to those who income arises primarily from a family owned farm.

\* Fees are subject to change and should be confirmed before filing.

#### **ACKNOWLEDGEMENT**

I, the debtor, affirm	that I have read this notice.		
			Case Number
July 11, 2005	/s/ Janet L Smith		
Date	Janet L Smith	Debtor	Joint Debtor, if any

**INSTRUCTIONS**: If the debtor is an individual, a copy of this notice personally signed by the debtor must accompany any bankruptcy petition filed with the Clerk. If filed by joint debtors, the notice must be personally signed by each. Failure to comply may result in the petition not being accepted for filing.